

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-cr-00269-MOC-DCK

UNITED STATES OF AMERICA,

Vs.

BARRETT WADDELL KLUTTS,

Defendant.

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ORDER

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**THIS MATTER** is before the court on defendant's Motion to Reconsider Denial of his Second Motion for Early Termination of Supervision. The court has read defendant's letter and nothing in that letter alters the underlying reasons given for denial of defendant's earlier requests. Defendant is again reminded that a hearing is only required where the court changes or modifies the conditions of release, and a denial of a request for early termination in no way modifies any condition.

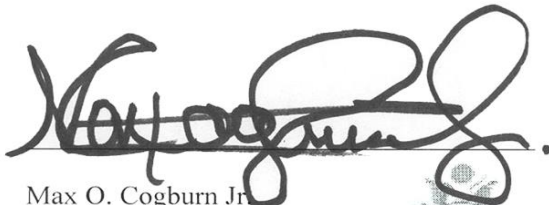
Because a refusal to terminate a term of supervised release is not a modification of the conditions of supervised release, a court is not required to hold a hearing under Federal Rule of Criminal Procedure 32.1(c) if it decides not to grant a request for early termination.

United States v. Miles, 2014 WL 2048206, at \*1 (D. Me. May 19, 2014). See also United States v. Nonahal, 338 F.3d 668, 671 (7th Cir. 2003); United States v. Reagan, 162 Fed. Appx. 912, 913 (11th Cir. 2006). Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

## ORDER

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Reconsider Denial of his Second Motion for Early Termination of Supervision (#32) is **GRANTED**, and after such reconsideration, the court **REAFFIRMS** its earlier Orders **DENYING** defendant's requests for early termination of supervision.

Signed: January 24, 2017



Max O. Cogburn Jr.  
United States District Judge